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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of:

Paul A. Egli

Application No.: 10/010,616

Filed: November 8, 2001

For: System And Methodology For
Delivering Media To Multiple Disparate
Client Devices Based On Their Capabilities

Examiner: Kelvin Y. Lin

Art Unit: 2142

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APPEAL BRIEF

Pursuant to 37 C.F.R. § 1.192, Appellants submit the following Appeal Brief for consideration by the Board of Patent Appeals and Interferences (hereinafter "Board"). Appellants also submit herewith a check in the amount of \$500.00 to cover the cost of filing this opening brief, as set forth in 37 C.F.R. § 1.17(c). Please charge any additional amounts due or credit any overpayment to Deposit Account No. 02-2666.

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I. REAL PARTY IN INTEREST

The real party in interest is the assignees of the full interest in the invention, Lightsurf Technologies, Inc. of Santa Cruz, CA, a wholly owned subsidiary of Verisign, Inc. of Mountain View, CA.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellants' knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

III. STATUS OF CLAIMS

Claims 1, 3-39, 41-77 and 79-82 are pending in this application. Claims 2, 40, and 78 were cancelled in a previous action. All pending claims stand rejected. Claims 1, 3-39, 41-77 and 79-82 are presented for appeal. A copy of claims 1, 3-39, 41-77 and 79-82 as they stand on appeal are set forth in Appendix A.

IV. STATUS OF AMENDMENTS

No amendments were filed subsequent to the final rejection.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The instant application relates to an online media delivery system incorporating combining on-the-fly media reformatting with advanced client detection capabilities enabling delivery of appropriate media content to connected client devices. (See Abstract).

Example implementations of independent claims 1, 39, and 77 are as follows. In independent claim 1, a method for determining the capabilities of client devices and supplying media content in a format suitable for the client devices in an online system includes receiving a request to provide a target device with a copy of a particular media object. (Figure 4A, block 402; Specification, page 20, lines 5-7). The method includes determining capabilities of the target device. (Figure 4A, block 404; Specification, page 20, lines 11-19). The method includes determining a format that is desired for providing the target device with a copy of the media object based on the capabilities of the target device. (Figure 4A, block 405; Specification, page 20, lines 20-23). The method includes translating the particular media object into a copy having said determined format. (Figure 4A, block 406; Specification, page 20, lines 20-23). The method includes providing the target device with the copy having said determined format. (Figure 4B, block 410; Specification, page 21, lines 18-20). The method includes storing the copy having said determined format in a server cache. (Figure 4B, block 410; Specification, page 21, lines 18-20).

In claim 10, the method notes that the capabilities of the target device include currently-available communication medium that the target device employs to transmit its request. (Specification, page 28, lines 11-21).

Claim 17 recites that the step of determining capabilities of the target device includes determining capabilities from a knowledgebase, based on a device class for the target device. (Specification, page 24, line 32 to page 25, line 6).

Claim 18 recites that the method further includes recording a log record of target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase. (Specification, page 25, lines 3-11).

In independent claim 39, Appellants claim an online system for providing digital media to target devices, which includes a capabilities module for determining the capabilities of a particular target device. (Figure 4A, block 404; Specification, page 20, lines 11-19). The system further includes a transformation module for automatically retrieving a copy of a particular digital media object and providing the target device with a copy of the object. (Figure 4A, block 406, 410; Specification, page 20, lines 20-23, page 21, lines 18-20). The copy of the object is automatically translated into a particular format based on the capabilities of the target device. (Figure 4A, block 406; Specification, page 20, lines 20-23). The copy of the object is stored in a server cache. (Figure 4B, block 410; Specification, page 21, lines 18-20).

Claim 55 adds that the capabilities of the target device include currently-available communication medium that the target device employs to transmit its request. (Specification, page 28, lines 11-21).

Claim 61 recites that the capabilities module includes a knowledgebase for determining the capabilities of the target device based on its device class. (Specification, page 18, lines 19-30, and page 24, lines 29-33).

Claim 62 adds a log record for recording target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase. (Specification, page 25, lines 3-11).

In independent claim 77, Appellants claim a method for determining the capabilities of client devices in an online system. The method includes receiving an original request from a target device in which the target device does not include information regarding its capabilities. (Figure 4A, block 402; Specification, page 20, lines 5-7). The method includes determining capabilities of the target device by examining the request submitted by the device. Figure 4A, block 404; Specification, page 20, lines 11-19; Figure 5, block 502; Specification, page 22, lines 21-27). The method includes supplementing the original request received from said target device with information about the capabilities of said target device. (Figure 4A, block 405; Specification, page 20, lines 20-23; Figure 5, block 503; Specification, page 22, lines 28-29). The method includes forwarding said supplemented request to a destination specified in said original request. (Figure 5, block 504; Specification, page 22, lines 30-31).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issues involved in this Appeal are as follows:

- A. Claims 1, 3-39, 41-77 and 79-82 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,341,316 to Kloba et al ("Kloba").
- B. Claims 20, 22-23, 25-27, 63, 65, and 67-68 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kloba in view of U.S. Patent Publication No. 2003/0041110 to Wenocur, et al. ("Wenocur").

VII. ARGUMENT

A. Overview of Cited References

1. Overview of Kloba – Kloba discloses capturing web content and storing it on a client device to subsequently allow a user to view the content on the device offline. (Kloba, col. 13, lines 65-67). Data is encoded in a data format called Already Been Chewed (ABC) and sent to the device. ABC format creates a tokenized codification of HTML pages by mapping parent and child HTML elements and/or resources of the web page to alphanumeric values. The device receives the ABC data and presents the material. Kloba discloses that state information associated with clients is cached on a server instead on the client device. (Kloba, col. 23, lines 2-7). During a server-client synchronization operation, Kloba discloses the server checking to see if an object differs from an instance of the object already resident on the client before sending the object to the client. (Kloba, col. 24, lines 31-34).

The Examiner seems to confuse the client cache of Kloba with a server cache, which is recited in the present invention's claims. The portion of Kloba pointed to by the Examiner (column 17, lines 49-52) specifically states that "the page is obtained from the cache of the client 108, or if not in the cache then from server 104." Thus, the object is either obtained from the client cache, or from the server itself. Kloba does not teach or suggest a server cache that contains the object.

In the Advisory Action, the Examiner states that "Therefore, Kloba does disclose the server translating the particular media object into a copy having said determined format (that is, transforms the object into a form that is suitable for the client). And storing the copy having said determined format in a server cache (that is a content related hash value -- the transaction code, in the cache, col. 23, l. 13-15). Appellants concur that Klobe stores the "content related hash value"

but note that such a "content related hash value" is not equivalent to storing the actual transformed object.

Overview of Wenocur –Wenocur discloses generating and using a compressed digital certificate.

B. Kloba does not teach or suggest each and every limitation of claim 1 and associated dependent claims.

Appellants respectfully submit that Kloba does not teach or suggest storing the copy of a media object having a format that is desired for providing the target device in cache memory, as recited in independent claim 1.

Kloba only discloses storing state information regarding the nature of the resources of the client device in a cache and regarding user identity and secure login information. (Kloba, col. 21, lines 19-20; col. 23, lines 40-42). However, Kloba does not teach or suggest storing the copy of the media object having the format suitable for the requesting device in the cache. Kloba provides the following examples of state information: dynamic memory specifications, high memory specifications, available storage space, screen size, user profile(s), color depth, applications on device, buttons on-device, data markers, preferences, fonts, sync type, supported data types, supported mime types, connection/network profile, user identity, secure login information, and current resources. (Kloba, col. 21, lines 24-29; col. 24, lines 1-22; col. 23, lines 40-42). Thus, the saved state information of Kloba cannot be properly interpreted as equivalent to a "copy", which is a translated media object, as recited in claim 1. Therefore, Kloba does not teach or suggest storing the copy of the particular media object in a server cache, as claimed.

Kloba also discloses that during a server-client synchronization operation, the server checks to see if an object differs from an instance of the object already resident on the client before sending the object to the client. (Kloba, col. 24, lines 31-34). This is particularly of interest when discussing updateable web pages, as Kloba does. Kloba discloses performing hash operation on the object to be sent to the client and comparing the hash result to a previously stored hash result for the object. (Kloba, col. 24, lines 42-48). If the two hash values are different, then the object to be sent is transformed into ABC format and a new hash value generated for the transformed object. (Kloba, col. 24, lines 51-55). Kloba discloses that the hash value is stored by the server. (Kloba, col. 24, lines 66-67). Appellants respectfully submit that storing a hash value associated with an object is not properly equivalent to storing the copy of the particular media object in a server cache, as claimed in claim 1.

Accordingly, independent claim 1 and associated dependent claims 2-19, 21, 24, 28-38, which include each and every limitation of claim 1, are not anticipated by Kloba.

1. Claims 10, 11: Kloba does not teach or suggest utilizing the communications medium as a characteristic of a device.

Claim 10 depends on claim 1, and incorporates its limitations. Claim 10 further recites the method in which the capabilities of the target device include currently-available communication medium that the target device employs to transmit its request.

Kloba does not teach or suggest identifying such a device capability, in determining what format data should be sent to the device. The Examiner points to Kloba, column 8, lines 11-14. However, that portion of Kloba simply notes that various transmissions mediums may be used for communication. Kloba lists the full set of

"factors that the web synchronization module 124 considers when performing this optimization" in column 24, lines 1-23. The available communications mediums are not listed as one of the options to consider. Therefore, Kloba does not anticipate claim 10, and claim 11 which depends on claim 10, for this additional reason.

2. Claim 17: Kloba does not teach or suggest utilizing a knowledge base of device type to determine device capabilities.

Claim 17 recites that the step of determining capabilities of the target device includes determining capabilities from a knowledgebase, based on a device class for the target device. Kloba does not teach or suggest utilizing a knowledgebase based on a device class.

The Examiner refers to column 5, lines 4-6 and column 14, lines 60-63). The first portion of Kloba discuss fleet management for centrally administering devices, while the second unrelatedly notes that synchronization uses parameters such as size of device, capabilities of device, etc. However, Klobe does not mention the use of a knowledge base, or device classes at all. While the user selects a device type, upon registration (Klobe, column 31, lines 48-49), no mention of looking up this device type in any kind of knowledge base is mentioned in Klobe. Therefore, claim 17 is not anticipated by Klobe for this additional reason.

3. Claims 18, 19: Kloba does not teach or suggest maintaining a log of unidentified devices.

Claim 18 depends on claim 1, and further recites that the method includes recording a log record of target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase.

Kloba does not teach or suggest a log record of unrecognized devices. The Examiner points to Kloba, column 29, lines 38-42), however that portion of Kloba user account data, and has no relationship to logging unrecognized devices. In fact, the only mention of "log" or "logging" in Kloba is in connection with sync logs, i.e. logging each connection. No mention or suggestion of logging unrecognized devices is made in Kloba. Therefore, claim 18 is not anticipated by Kloba for this additional reason.

C. Kloba does not teach or suggest each and every limitation of claim 39 and associated dependent claims.

Appellants respectfully submit that Kloba does not teach or suggest storing the copy of a media object having a format that is desired for providing the target device in cache memory, as recited in independent claim 39. As discussed above with, Kloba discloses storing state information or a hash in a server cache and therefore, does not teach or suggest storing the actual translated media object in a server cache.

Accordingly, independent claim 39 and associated dependent claims 41-62, 64, 66, and 69-71, which include each and every limitation of claim 39, are not anticipated by Kloba.

1. Claims 55, 56: Kloba does not teach or suggest utilizing the communications medium as a characteristic of a device.

Claim 55 depends on claim 39, and incorporates its limitations. Claim 55 further adds that the capabilities of the target device include currently-available communication medium that the target device employs to transmit its request.

Kloba does not teach or suggest identifying such a device capability, in determining what format data should be sent to the device. The Examiner points to Kloba, column 8, lines 11-14. However, that portion of Kloba simply notes that various transmissions mediums may be used for communication. Kloba lists the full set of "factors that the web synchronization module 124 considers when performing this optimization" in column 24, lines 1-23. The available communications mediums are not listed as one of the options to consider. Therefore, Kloba does not anticipate claim 55, and claim 56 which depends on it, for this additional reason.

2. Claim 61: Kloba does not teach or suggest utilizing a knowledge base of device type to determine device capabilities.

Claim 61 depends on claim 39, and further recites that the capabilities module includes a knowledgebase for determining the capabilities of the target device based on its device class. Kloba does not teach or suggest utilizing a knowledgebase based on a device class.

The Examiner refers to column 5, lines 4-6 and column 14, lines 60-63. The first portion of Kloba discusses fleet management for centrally administering devices, while the second unrelatedly notes that synchronization uses parameters such as size of device, capabilities of device, etc. However, Klobe does not mention the use of a knowledge base, or device classes at all. While the user selects a device type, upon registration (Klobe, column 31, lines 48-49), no mention of looking up this device type in any kind of knowledge base is mentioned in Klobe. Therefore, claim 61 is not anticipated by Klobe for this additional reason.

3. Claims 62: Kloba does not teach or suggest maintaining a log of unidentified devices.

Claim 62 depends on claim 39, and further adds a log record for recording target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase.

Kloba does not teach or suggest a log record of unrecognized devices. The Examiner points to Kloba, column 29, lines 38-42), however that portion of Kloba user account data, and has no relationship to logging unrecognized devices. In fact, the only mention of "log" or "logging" in Kloba is in connection with sync logs, i.e. logging each connection. No mention or suggestion of logging unrecognized devices is made in Kloba. Therefore, claim 62 is not anticipated by Kloba for this additional reason.

D. Kloba does not teach or suggest each and every limitation of claim 77 and associated dependent claims.

Appellants respectfully submit that Kloba does not teach or suggest determining capabilities of the target device by interacting with the device by "examining the request submitted by the device" as claimed in claim 77.

Kloba discloses that either the "client 108 sends state information to server 104 via client communications module 110", or "the server 104 obtains state information about client 108 from database module 126." (Kloba, col. 23, lines 40-41, 53-54). Thus, Kloba discloses receiving state information from the client itself or from a database module, and not from the request.

Thus, Kloba does not determine client capabilities of the target device by examining the request submitted by the device.

Accordingly, independent claim 77 and associated dependent claims 78-82, which include each and every limitation of claim 77, are not anticipated by Kloba.

E. The combination of Kloba and Wenocur fails to teach or suggest all of the limitations of Appellants' claims.

Claims 20, 22-23, 25-27

Appellants respectfully submit that claims 20, 22-23, 25-27 are not obvious over the combination of Kloba and Wenocur. Claims 20, 22-23, and 25-27 depend on claim 1, and incorporate its limitations. Appellants respectfully submit that the combination of Kloba and Wenocur does not teach or suggest storing the copy of the translated object in a server cache as claimed in claim 1.

As discussed above, Kloba does not teach or suggest storing the copy of the translated object in a server cache, and Wenocur does not supply the missing elements. Wenocur discloses generating and using a compressed digital certificate. Wenocur does not discuss translating objects, and thus is silent about storing a copy of the translated object in a server cache as recited in claim 1. Since neither Kloba nor Wenocur, alone or in combination, teaches storing the copy of the translated object in a server cache as claimed in independent claim 1, the combination cannot be interpreted to render obvious Appellants' invention as claimed in associated claims 20, 22-23 and 25-27. Accordingly, Appellants respectfully request the withdrawal of the rejection over this combination.

Claims 63, 65, and 67-68

Appellants respectfully submit that claims 63, 65, and 67-68 are not obvious over the combination of Kloba and Wenocur. Claims 63, 65, and 67-68 depend on claim 39, and incorporate its limitations. Appellants respectfully submit that the combination of Kloba and Wenocur does not teach or suggest storing the copy of the translated object in a server cache as claimed in claim 39.

As discussed above, since neither Kloba nor Wenocur, either alone or in combination, teaches storing the copy of the translated object in a server cache as claimed in independent claim 39, the combination cannot be interpreted to render obvious Appellants' invention as claimed in associated claims 63, 65, and 67-68. Accordingly, Appellants respectfully request the withdrawal of the rejection over this combination.

VIII. CONCLUSION

Based on the foregoing, Appellants respectfully submit that that the Board should reverse the rejection of all pending claims and hold that all of the claims currently under review are allowable.

Respectfully submitted,

Dated: Oct. 2, 2006



Judith A. Szepesi
Reg. No. 39,393

IX. CLAIMS APPENDIX

The claims involved in this appeal are presented below.

1. (Previously Presented) In an online system, a method for determining the capabilities of client devices and supplying media content in a format suitable for such devices, the method comprising:

receiving a request to provide a target device with a copy of a particular media object;

determining capabilities of the target device;

based on the capabilities of the target device, determining a format that is desired for providing the target device with a copy of the media object;

translating the particular media object into a copy having said determined format;

providing the target device with the copy having said determined format; and

storing the copy having said determined format in a server cache.

2. (Cancelled)

3. (Previously Presented) The method of claim 1, further comprising:

receiving from a target device a subsequent request for the particular object in the determined format; and

providing the target device with the copy stored in said server cache.

4. (Original) The method of claim 1, further comprising:

obtaining a copy of said particular media object from a connected server for translation of said media object.

5. (Original) The method of claim 4, further comprising:
storing in cache memory a cached copy of said media object received from said
connected server; and
in response to subsequent requests for translation of said media object, using the
copy of said media object stored in cache memory.
6. (Original) The method of claim 1, wherein the capabilities of the target
device include screen resolution.
7. (Original) The method of claim 1, wherein the capabilities of the target
device include screen size.
8. (Original) The method of claim 1, wherein the capabilities of the target
device include color support.
9. (Original) The method of claim 1, wherein the capabilities of the target
device include bit rate.
10. (Original) The method of claim 1, wherein the capabilities of the target
device include currently-available communication medium that the target device
employs to transmit its request.
11. (Original) The method of claim 10, wherein currently-available
communication medium comprises wireless communication.

12. (Original) The method of claim 10, wherein currently-available communication medium comprises wireline communication.

13. (Original) The method of claim 1, wherein said step of determining capabilities of the target device includes examining the request submitted by the device

14. (Original) The method of claim 1, wherein said step of determining capabilities of the target device includes examining the HTTP header submitted by the device.

15. (Original) The method of claim 14, wherein examining the HTTP header submitted by the device includes examining the HTTP User-Agent header.

16. (Original) The method of claim 1, wherein said step of determining capabilities of the target device includes querying the device for its capabilities.

17. (Original) The method of claim 1, wherein said step of determining capabilities of the target device includes determining capabilities from a knowledgebase, based on a device class for the target device.

18. (Original) The method of claim 17, further comprising:
recording a log record of target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase.

19. (Original) The method of claim 18, further comprising:

automatically issuing notifications regarding said target devices that are not recognized.

20. (Original) The method of claim 1, wherein said step of determining a format that is desired includes determining an appropriate resolution for rendering the particular image at the target device.

21. (Original) The method of claim 1, wherein said step of determining a format that is desired includes determining an appropriate color space for rendering a particular image at the target device.

22. (Original) The method of claim 1, wherein said step of determining a format that is desired includes determining an appropriate image size for rendering the particular image at the target device.

23. (Original) The method of claim 1, wherein said step of determining a format that is desired includes determining whether to rotate the particular image to conform to the aspect ratio of the target device display.

24. (Original) The method of claim 1, wherein said step of determining a format that is desired includes determining the appropriate bit rate for the target device.

25. **(Original)** The method of claim 1, wherein said step of determining a format that is desired includes determining communication bandwidth available for transmitting a copy of the particular media object to the target device.

26. **(Original)** The method of claim 25, wherein the communication bandwidth available is determined, at least in part, based on the HTTP request header received from the target device.

27. **(Original)** The method of claim 25, wherein the communication bandwidth available is determined, at least in part, based on a device class for the target device.

28. **(Original)** The method of claim 1, wherein said target device includes a handheld computing device having display capability.

29. **(Original)** The method of claim 1, wherein said target device includes a handheld computing device having digital audio capability.

30. **(Original)** The method of claim 1, wherein said target device includes a cellular phone device having display capability.

31. **(Original)** The method of claim 1, wherein said target device includes a cellular phone device having digital audio capability.

32. **(Original)** The method of claim 1, wherein said target device includes a pager device having display capability.

33. **(Original)** The method of claim 1, wherein said target device includes a personal computer having display capability.

34. **(Original)** The method of claim 1, wherein said target device includes a personal computer having digital audio capability.

35. (Original) The method of claim 1, wherein said target device includes WAP (Wireless Application Protocol) support.

36. (Original) The method of claim 1, wherein said media objects include digital images.

37. (Previously Presented) The method of claim 1, wherein said media objects include digital video.

38. (Previously Presented) The method of claim 1, wherein said media objects include digital audio.

39. (Previously Presented) An online system for providing digital media to target devices, the system comprising:

a capabilities module for determining the capabilities of a particular target device;

a transformation module for:

automatically retrieving a copy of a particular digital media object;

providing the target device with a copy of said object, said copy being automatically translated into a particular format based on the capabilities of the target device; and

storing the copy of said translated object in a server cache.

40. (Cancelled)

41. (Previously Presented) The system of claim 39, wherein said system first attempts to satisfy the request by retrieving a copy of the particular object in the particular format from the server cache.

42. (Previously Presented) The system of claim 39, further comprising:
storing copies of digital media objects that have been retrieved in cache memory.

43. (Previously Presented) The system of claim 42, wherein said system first attempts to retrieve a copy of the particular digital media object from the cache memory before retrieving a copy from a remote server.

44. (Previously Presented) The system of claim 39, wherein each digital media object stored by said system is identified by a unique uniform resource locator (URL).

45. (Previously Presented) The system of claim 44, wherein said unique URL is encoded with the characteristics of said digital media object.

46. (Previously Presented) The system of claim 44, wherein said unique URL includes the color depth of said digital media object.

47. (Previously Presented) The system of claim 44, wherein said unique URL includes the image size of said digital media object.

48. (Previously Presented) The system of claim 44, wherein said unique URL includes the resolution of said digital media object.

49. (Previously Presented) The system of claim 44, wherein said unique URL includes the bit rate of said digital media object.

50. (Previously Presented) The system of claim 44, wherein said system stores URLs for each of the digital objects, and wherein the capabilities module is capable of determining the particular digital media object that may be provided to the target device from said URLs.

51. (Original) The system of claim 39, wherein the capabilities of the target device include screen resolution.

52. (Original) The system of claim 39, wherein the capabilities of the target device include screen size.

53. (Original) The system of claim 39, wherein the capabilities of the target device include color support.

54. (Original) The system of claim 39, wherein the capabilities of the target device include bit rate.

55. (Original) The system of claim 39, wherein the capabilities of the target device include currently-available communication medium that the target device employs to transmit its request.

56. (Original) The system of claim 55, wherein currently-available communication medium comprises wireless communication.

57. (Original) The system of claim 55, wherein currently-available communication medium comprises wireline communication.

58. (Original) The system of claim 39, wherein said capabilities module includes the ability to determine the capabilities of the target device from its HTTP header.

59. (Original) The system of claim 58, wherein said capabilities module includes the ability to determine the capabilities of the target device from its HTTP User-Agent header.

60. (Original) The system of claim 39, wherein said capabilities module includes the ability to query the target device for its capabilities.

61. (Original) The system of claim 39, wherein said capabilities module includes a knowledgebase for determining the capabilities of the target device based on its device class.

62. (Original) The system of claim 61, further comprising:
a log record for recording target devices that are not recognized to enable the capabilities of said devices to be added to the knowledgebase.

63. (Previously Presented) The system of claim 39, wherein said particular format is selected based on an appropriate resolution for rendering the particular digital media object at the target device.

64. (Previously Presented) The system of claim 39, wherein said particular format is selected based on an appropriate color space for rendering the particular digital media object at the target device.

65. (Previously Presented) The system of claim 39, wherein said particular format is selected based on an appropriate image size for rendering the particular digital media object at the target device.

66. (Previously Presented) The system of claim 39, wherein said particular format is selected based on an appropriate bit rate for rendering the particular digital media object at the target device.

67. (Previously Presented) The system of claim 39, wherein said particular format is selected based on communication bandwidth available for transmitting a copy of the particular digital media object to the target device.

68. (Original) The system of claim 67, wherein the communication bandwidth available is determined, at least in part, based on a device class for the target device.

69. (Original) The system of claim 39, wherein said target device includes a handheld computing device having display capability.

70. (Original) The system of claim 39, wherein said target device includes a handheld device having digital audio capability.

71. (Original) The system of claim 39, wherein said target device includes a cellular phone device having display capability.

72. (Original) The system of claim 39, wherein said target device includes a cellular phone device having digital audio capability.

73. (Original) The system of claim 39, wherein said target device includes a pager device having display capability.

74. (Original) The system of claim 39, wherein said target device includes a personal computer having display capability.

75. (Original) The system of claim 39, wherein said target device includes a personal computer device having digital audio capability.

76. (Original) The system of claim 39, wherein said target device includes WAP (Wireless Application Protocol) support.

77. (Previously Presented) In an online system, a method for determining the capabilities of client devices, the method comprising:

receiving an original request from a target device in which said target device does not include information regarding its capabilities;

determining capabilities of the target device by examining the request submitted by the device;

supplementing said original request received from said target device with information about the capabilities of said target device; and

forwarding said supplemented request to a destination specified in said original request.

78. (Cancelled)

79. (Original) The method of claim 77, wherein said step of determining capabilities of the target device includes examining the HTTP header submitted by the device.

80. (Original) The method of claim 79, wherein examining the HTTP header submitted by the device includes examining the HTTP User-Agent header.

81. (Original) The method of claim 77, wherein said step of determining capabilities of the target device includes querying the device for its capabilities.

82. (Original) The method of claim 77, wherein said step of determining capabilities of the target device includes determining capabilities from a knowledgebase, based on a device class for the target device.

X. EVIDENCE APPENDIX

No other evidence is submitted in connection with this appeal.

XI. RELATED PROCEEDINGS APPENDIX

No related proceedings exist.